REMARKS

This is a full and complete response to the Office action dated August 9, 2007.

All comments and remarks of record are herein incorporated by reference. Applicants respectfully traverse these rejections and all comments made in the Office Action. Nevertheless, in an effort to expedite prosecution, Applicants provide the following remarks regarding the cited references.

DISPOSITION OF CLAIMS

Claims 1 and 3-7 are pending in the application. Claims 1, 4-5 have been amended with support found in the application in former claim 2 and on page 2, lines 37-44 as well as page 3, lines 40-46. Claims 2, 8 and 10 have also been canceled. No new matter has been added.

Applicants respectfully request the above mentioned amendments be entered as they require no further searching by the Examiner. The changes made include amending claim 1 to more precisely recite the claim with "consisting essentially of" language as well as incorporating similar subject matter of claim 2 into claim 1. Therefore, the scope has not changed such that further searching is necessary.

REJECTION UNDER 102

Claims 8 and 10 stand rejected under 35 USC §102(b) as being anticipated by **Kavan et al.**, ECS, 2002, 5(2), A39-A42, ("**Kavan**"). Applicants respectfully traverse this rejection. Furthermore this rejection has been obviated as claims 8 and 10 are now canceled.

REJECTION UNDER 103

Claims 1-8 and 10 stand rejected under 35 USC §103(a) as being unpatentable over **Kavan** further in view of either **Bruno** et al., US 5,242,674 ("Bruno") or **Idota**, US 5,571,637 ("**Idota**"). Applicants respectfully traverse this rejection.

According to §103, in order to establish a prima facie case of obviousness, there must be (1) some suggestion or motivation to modify the references, (2) reasonable expectation of success and (3) the prior art reference must teach or suggest all of the claim features. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438, MPEP §2143.

Applicants have amended claim 1 to recite "consisting essentially of" reacting lithium hydroxide and a titanium alkoxide. MPEP 2111.03. Applicants respectfully note that the **Kavan** reference discloses the use of polyethylene glycol in the reaction. *Kavan*, pg A39, 2nd column, section "Experimental." Therefore, Applicants respectfully assert that for this reason alone the cited references do not disclose the instant claimed invention.

Furthermore, the Examiner alleges that the cited reference **Kavan** is silent about the use of precursors of Li such as Li-hydroxide. Office Action, August 9, 2007, page 4. The Examiner further argues that it would be obvious to one of skill in the art to substitute the Li-ethoxide of Kavan with the Li-hydroxide recited in Bruno and Idota. HOwver, Applicants respectfully note that **Kavan** states in the "Results and Discussion" section on page A40 that "this strategy was not successful, neither its variants employing LiOH…" Therefore, as the mentioned strategy was not successful with LiOH, one of skill in the art would have no motivation to substitute the starting materials of **Kavan** with LiOH.

Therefore, in view of all the reasons above, Applicants respectfully assert that no prima facie case of obviousness can be established and accordingly request the above mentioned rejection be withdrawn.

OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 1-3 and 7 stand rejected on the ground of non-statutory obviousness type double patenting as being unpatentable over claims 1-5 of US Patent 7,208,135 (previously 10/847,620).

Applicants provide a terminal disclaimer herewith thereby obviating the obviousness-type double patenting rejection. Favorable action is solicited.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner is invited to directly contact the undersigned by phone to further the discussion.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437.

Conclusion

Having addressed all issues set out in the Office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,
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